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N.J. BOARD OF NURSING

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Nursing

By: Barbara J.K. Lopez
Deputy Attorney General
(973) 648-7454

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
AMY MARIE NITA, APN, RN	:	ORDER OF SUSPENSION
a/k/a AMY M. McQUADE, APN, RN	:	OF LICENSE
APN License #26NJ00132100	:	
RN License # 26NO12301300	:	
	:	
TO PRACTICE NURSING IN	:	
THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating the following:

1. Amy Marie Nita, formerly known as Amy M. McQuade ("Respondent") holds a New Jersey license as an Advanced

Practice Nurse (APN) which has been inactive since 2008 and a New Jersey license as a Registered Professional Nurse (RN) which has been active since January 2013. (Exhibit A).

2. In 2008, Respondent voluntarily surrendered her license, to be deemed a revocation, by Consent Order, the basis of which was that Respondent engaged in diversion of Controlled Dangerous Substances (CDS) and issued fraudulent prescriptions. Respondent enrolled in the Board's designated intervention program, the Recovery and Monitoring Program (RAMP). By Order of Reinstatement of License filed on October 5, 2012, Respondent's RN license was reinstated with conditions, including that she continue participation with RAMP. (Exhibit B).

3. In or about September 2013, Respondent relapsed into the use of potentially addictive substances and became noncompliant with the terms and conditions of participation in RAMP in that she failed to follow RAMP's recommendations for treatment. (Exhibit C).

4. In November 2013, Respondent ceased participation with RAMP. RAMP attempted to redirect Respondent towards compliance, but Respondent replied that she was taking a break from RAMP to address a medical issue. RAMP recommended that Respondent

inactivate her RN license (her APN license had been inactive since 2008), but Respondent failed to do so. Respondent stopped checking-in with the daily online monitoring system and failed to undergo random urine screens on December 5, 2013 and December 27, 2013. Respondent left RAMP without successfully completing RAMP or being released from RAMP. (Exhibit C).

5. RAMP cannot assure the Board or the public that Respondent is safe to practice. (Exhibit C).

6. On or about June 27, 2014, a communication was sent to Respondent at her address of record by overnight and regular mail, advising Respondent that the Board had received information indicating that she was not in compliance with the October 5, 2012 Order of Reinstatement of License and with her agreement with RAMP. Respondent was further advised to provide the Board with proof of any inaccuracy in that information within two weeks. (Exhibit D).

7. Respondent replied and admitted that she did take time off from RAMP (November 2013 - July 2014) and maintains that she is now attempting to re-enroll in RAMP. She requests that the Board not suspend or inactivate her license. Respondent did not dispute that the information the Board received was accurate, nor did she demonstrate that she was in compliance with the

Order of Reinstatement and her agreement with RAMP. (Exhibit E).

8. Although Respondent contacted RAMP in July 2014, she failed to complete an intake appointment scheduled for July 16, 2014 to re-enroll in the program. (Exhibit C).

9. The Order of Reinstatement signed by Respondent provided for automatic suspension of Respondent's nursing license upon receipt of reliable information indicating that Respondent had violated any term of the Order. The Order states that Respondent may, upon notice to the Board, request a hearing to contest the automatic suspension; however, at any such hearing, the sole issue shall be whether any of the information received regarding Respondent's violation of the agreement was materially false. The Board also reserved the right to bring further disciplinary action. (Exhibit B).

10. Respondent violated the Order of Reinstatement by: failing to refrain from the use of potentially addictive substances (relapse in or around September 2013); failing to follow the terms and conditions of participation in the RAMP program by not following the recommendations of RAMP for further treatment; failing to follow the terms and conditions of participation in the RAMP program by not limiting her nursing

practice by placing her license on inactive status; failing to submit to urine screens; and failing to remain in RAMP until successfully completing the program or being released from the program. Each violation of the Order of Reinstatement constitutes a violation of N.J.A.C. 13:45C-1.4, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e), and automatic suspension of her license as provided in the Order of Reinstatement.

ACCORDINGLY, IT IS on this 21st day of Jul., 2014,
HEREBY ORDERED that:

1. Respondent's APN and RN licenses to practice nursing in the State of New Jersey are hereby suspended for her violation of the terms of the Order of Reinstatement as set forth above, which is a violation of a Board Order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e).

2. Respondent may, under the terms of the Order of Reinstatement, request a hearing, upon notice, on the sole issue of whether information received that Respondent has failed to comply with the terms of the Order of Reinstatement was materially false.

3. In the event that Respondent seeks reinstatement of her New Jersey nursing licenses at any future time, the Board shall

not entertain any application for reinstatement without a demonstration by Respondent that she is fit and competent to practice, in full compliance with the terms and conditions of the Order of Reinstatement and with any agreement with RAMP, and that RAMP supports her reinstatement.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy PhD APN
Patricia Murphy, PhD, APN
Board President